
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOHN TRAVIS HART

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 1:17-CR-16-DAK

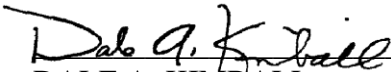
Judge Dale A. Kimball

This matter is before the court on Defendant’s Motion for Reconsideration re Amended Memorandum Decision and Order Denying Defendant’s First Step Act Motion for Compassionate Release, 18 U.S.C. § 3582(c)(1)(A) [ECF No. 41]. Defendant requests that the court release him from custody due to medical issues. On August 22, 2017, this court sentenced Defendant to 144 months incarceration with the Bureau of Prisons (“BOP”), and on August 29, 2023, this court denied Defendant’s Motion for Compassionate Release [ECF No. 40].

The First Step Act modified 18 U.S.C. § 3582(c)(1)(A) to allow a federal prisoner to file a motion with the court to reduce the defendant’s term of imprisonment after the defendant has exhausted administrative remedies with the BOP. There is no evidence that Defendant has exhausted his administrative remedies as required in the First Step Act. If and when Defendant can demonstrate that he has made a request to the BOP under the First Step Act and it has been denied or thirty days have passed from receipt of the request by the warden of his facility, Defendant can bring a new motion in this court. Accordingly, Defendant’s Motion for Reconsideration re Amended Memorandum Decision and Order Denying Defendant’s First Step Act Motion for Compassionate Release, 18 U.S.C. § 3582(c)(1)(A) [ECF No. 41] is DENIED.

Dated this 25th day of September 2023.

BY THE COURT:



DALE A. KIMBALL
United States District Judge